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May 24, 2013

Dr. Dan Shoemake, Administrator
Educational Service Unit #6 (00-0006)
210 5th Street
Milford, NE 68405-9508

Dear Dr. Shoemake,

A Nebraska Department of Education consolidated monitoring visit for the No Child Left Behind (NCLB) cooperative project for Educational Service Unit #6 was conducted on May 14, 2013. The NCLB program reviewed was Title III- LEP. I would like to thank you for the help you provided in completing this review. I would also like to thank Ms. Jen Madison for all of her assistance in completing this review. Additionally thanks to Ms. Kelly Riley and Ms. Rosie Drake as well as everyone else at Educational Service Unit #6 who was involved with this review for their cooperation and assistance with the review process. The dedication, professionalism, and commitment to excellence exhibited by everyone I visited with are commendable.

The completed NCLB Monitoring Guide reviewed during the visit contained all the necessary information and many of these items were discussed. During this candid and in depth discussion of NCLB and education in general, documentation pertaining to the monitoring guide was reviewed. The organization and content of the documentation is commendable. Thank you for having a copy of this completed guide and documentation for me. This copy, along with sample supporting documentation, will be placed in the Educational Service Unit #6 program review file at the Nebraska State Office Building in Lincoln.

There are no corrective actions required as a result of this review. The NCLB Monitoring process was designed to ensure that school districts are complying with the No Child Left Behind Act. This was evident during the visit.

If you have questions or concerns regarding this report, please contact me at roger.reikofski@nebraska.gov or (402) 471-2968.

Sincerely,

Roger Reikofski
NDE - Education Specialist - NCLB

District/ESU Name: **ESU 6**

County/District #:

NDE Reviewer(s):

Date of Visit: **May 14, 2013**

Applicable Programs/Grants

Please check the box for each program for which the district / ESU receives a grant and has a program.

(Double clicking on the box will allow you to "check" the box.)

- ☐ Title I, Part A – Improving Academic Achievement of the Disadvantaged (ESEA/NCLB)
☐ Title I, Part A Neglected and Title I, Part D – State Agency Neglected or Delinquent
☐ Title X, Part C – McKinney-Vento Homeless Education Assistance

- ☐ Title II, Part A – Teacher and Principal Training and Recruiting Fund
☐ Title II, Part D – Enhancing Education through Technology
☒ Title III – Language Acquisition (Limited English Proficiency and/or Immigrant Education)
☐ Title V, Part A – Innovative Programs

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NDE is requiring some pieces of evidence/documentation to be submitted prior to or during the monitoring visit. These items are indicated on the checklist with grayed boxes.

NDE KEY: DE = Documentation Exists and must be available for review; ND = No Documentation; TA = Technical Assistance Needed; NA = Not Applicable

Nebraska ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist

Criteria	Options for Documentation	District / ESU Response			NDE Response Comments
		Yes	No	NA	

Section 1. All ESEA/NCLB Programs

—ESEA/NCLB Consolidated Application—							
1. A School Improvement Plan provides a guide that directs how Federal funds are used in the school district. Teachers, principals, parents, and other staff examined various types of information, including student achievement data, to determine the goals and objectives of that improvement plan.	<ul style="list-style-type: none">✓ Working notes✓ Written communications✓ Meeting notes✓ Relevant Sections of School Improvement Plan				x	-ESU 6 Title III LEP Consortium districts are monitored for this item individually.	District level as cooperative is only for Title III - All Districts keep other funds.
<i>Application Guidance</i> <i>Natl. Study of School Evaluation Standard 7</i> 2. ESEA/NCLB funds are used to support scientifically researched based activities (whenever possible) to improve student achievement on academic content standards.	<ul style="list-style-type: none">✓ ESEA/NCLB Consolidated Application✓ Planning records✓ School Improvement Plan		x			-ELL Network notes -Use of Title III funds requires approval of grant coordinator.	good.
<i>Application Guidance</i> 3. An annual review of program effectiveness is used in planning future use of ESEA/NCLB funds.	<ul style="list-style-type: none">✓ Working notes✓ Planning records✓ Meeting notes✓ Title I self-reviews✓ Agenda✓ Sign-in sheet of those who did the review		x			-ELL Network notes -Program Review agenda & notes (12.3.12) -ELL Network & training surveys	appears to me to be a very thorough process.
<i>Application Guidance</i>							

Nebraska ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist

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	Yes	No	NA	Comments		
<p>4. All personnel paid from one or more than one federal fund must maintain a time and effort log.</p> <p>(a). Monthly verifications required if paid from multiple cost objectives. An employee is considered to work on multiple cost objectives, if they work on:</p> <ul style="list-style-type: none"> ✓ More than one federal award; ✓ A federal award and a non-federal award; ✓ An indirect cost activity and a direct cost activity; ✓ Two or more indirect cost activities which are allocated using different allocation bases; or ✓ An unallowable activity and a direct or indirect cost activity <p>Must be an after-the-fact record that reflects the actual activity of the employee. Must account for the total activity for which the employee is compensated. Must be prepared monthly and signed by employee and building principal, HR representative or superintendent.</p> <p>(b). If an employee works solely on a single federal award or cost objective, the activity must be supported with semi-annual certification. Certification must be signed by employee and building principal, HR representative, or superintendent.</p> <p>Cost Allocation Guide for State and Local Governments (September 2009) pages 31 & 32</p>	<p>✓ Time and effort logs for anyone paid with federal funds.</p> <p>✓ Staff in Title I schoolwide projects being paid with federal funds MUST complete Time and Effort logs.</p> <p>NOTE: Information and sample Time & Effort logs are available on the NDE Federal Programs web page.</p>	x			<p>-Time and Effort Logs for Jen Madison (and others, in less common situations, who have been compensated for Title III qualifying effort/time.)</p>	<p>Time: Effort Logs being kept as required.</p>

Nebraska ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist

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		Yes	No	NA	
-Financial Management-					
1. The district has in place procedures for procurement including contracts purchase/service agreements and purchase orders. Purchase orders and invoices indicate an appropriate record of expenditures.	✓ Written procedures for contracting, purchasing services, materials and equipment	x			-ESU 6 Policy OK
2. All equipment (inventoried and/or depreciated) purchased with federal funds, including those used in nonpublic and other facilities are appropriately identified, inventoried, and when no longer useful to the program, properly disposed. <i>EDGAR 80, Subpart C</i>	✓ District/ESU inventory ✓ Procedures for disposal of federally purchased equipment	x			-Title III Inventory OK
3. Records of all federal financial and program information are kept for 3 years after the date the sub-guarantee submits its last expenditure report.	✓ Procedure for record retention	x			-ESU 6 Policy OK
-ESEA/NCLB Qualified Staff-					
1. All staff meet HQT requirements. --Title I staff (including teachers and instructional paraprofessionals) in targeted assistance programs and all staff in schoolwide projects --Title II-A funded class-size reduction teachers --Title I-A Neglected teachers and paras § 1114(b)(1)(C); § 1119(a)(1); § 2123(a)(2)(B)	✓ Teachers meet HQT requirements ✓ Paraprofessionals meet ESEA/NCLB qualifications ✓ HOUSE forms and documentation to support noted progress			x	-ESU 6 Title III LEP Consortium districts are monitored for this item individually. OK-NA

ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist

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Nebraska ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist

Criteria	Options for Documentation			District / ESU Response			NDE Response	
	Yes	No	NA	Yes	No	NA	Comments	Comments
2. Title I building principal(s) has /have certified, <i>ANNUALLY</i> , in writing that all teachers in the building are highly qualified. § 1119 (i) (1) & (2)								NA - OK
— Supplement, Not Supplant —								
1. Federal funds are used to supplement, not supplant the amount of funds or services available from non-federal sources. § 1120A (b)(1)								
2. ESEA/NCLB/Title I-A Neglected funds are not used to provide services otherwise required by law to be made available. § 1115(b)(3)								OK - Definite Evidence of Supplemental
— Homeless Children —								
1. The school has developed procedures/ guidelines for identifying and enrolling homeless children and youth. § 722(g)(1)(I)								NA
2. School policies and practices ensure all children, including homeless, are provided a free, appropriate public education and have access to the same services offered to other children. § 722(g)(1)(J)								Had a discussion about how the consortium can be involved in raising awareness
3. Homeless children and youth are enrolled in their school of origin or in the school where they are temporarily residing, whichever is in their best interest. The placement complies, to the extent feasible, with the request of the parent or guardian. Transportation to the school of origin is provided, when feasible. § 722(g)(1)(J)(iii)(I)								of and help w/ services for students in homeless situations.

Nebraska ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist

Criteria	Options for Documentation	District / ESU Response			NDE Response
		Yes	No	NA	
4. Lack of school records, immunization and medical records, birth certificate, or other documentation does not delay the enrollment of a homeless child or youth. Guardianship issues, uniform or dress code requirements, and residency requirements are not used as obstacles to delay or deny enrollment. § 722(g)(1)(H)(i-v)	✓ Enrollment practices and policies			x	-ESU 6 Title III LEP Consortium districts are monitored for this item individually. OK
5. A dispute resolution process is in place and the homeless student and parent or guardian is informed of the right to appeal disputed decisions made by the school board. § 722(g)(3)(E)(i-iv)	✓ Local appeal process			x	-ESU 6 Title III LEP Consortium districts are monitored for this item individually. OK
6. A liaison has been designated to assist with identification, enrollment, and placement of homeless children and to provide staff development activities to all school personnel regarding the educational rights and needs of homeless children and youth. § 722(g)(1)(J)(ii)	✓ If the liaison is NOT the superintendent, the name of the homeless liaison has been submitted to the NDE Homeless Education office via the Consolidated Application			x	-ESU 6 Title III LEP Consortium districts are monitored for this item individually. OK

ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist

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		Yes	No	NA	

— Nonpublic Schools Served in ESEA/NCLB Programs—					
1. Nonpublic school officials are consulted in planning the program and services prior to submission of the consultation forms and application. (Meaningful consultation is an ongoing process and should involve at least one face to face meeting.)	<ul style="list-style-type: none"> ✓ Records of meetings, correspondence, Nonpublic Participation form 	x			-ESU 6 Title III LEP Consortium districts are monitored for this item individually. -ELL Network notes (evidence of awareness) <i>ok</i>
2. Services provided to nonpublic staff and students are equitable for each program and the identification and selection of staff and students to receive services uses criteria appropriate to the nonpublic school.	<ul style="list-style-type: none"> ✓ ESEA/NCLB Consolidated Application ✓ Private or public school needs assessment 			x	-ESU 6 Title III LEP Consortium districts are monitored for this item individually. <i>ok</i>
3. The district maintains records of its efforts to resolve any complaints made by nonpublic school representatives.	<ul style="list-style-type: none"> ✓ Written notification or working notes, as applicable 			x	-ESU 6 Title III LEP Consortium districts are monitored for this item individually. <i>ok</i>
4. Staff serving nonpublic school students are employees of the public school, and the control of funds, materials, and equipment purchased with ESEA/NCLB funds is with the public agency.	<ul style="list-style-type: none"> ✓ Accounting records, teacher rosters ✓ Teacher contract ✓ ESEA/NCLB inventory, financial records 			x	ESU 6 Title III LEP Consortium districts are monitored for this item individually. <i>ok</i>

Nebraska ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist

Criteria	Options for Documentation	District / ESU Response			NDE Response Comments
		Yes	No	NA	

Section 7. Title III - All Programs

Financial Management

1. Not more than 2% of the available funds are used for administration.	3155(b)	✓ Accounting records ✓ District procedures	x			-The Title III grant application section of the GMS system provides the allocation amount allowed for administration. Direct and indirect cost calculations are prepared by the grant bookkeeper and maintained in the Title III records.	No worries here.
2. The district does NOT use district funds to pay for the costs of administration, scoring, or reporting of English language proficient assessments, and materials or equipment related to the administration of language proficient assessments (for identification and/or annual proficiency).	§ 1111(b)(7) and 3113(b)(2)	✓ Budget records ✓ Personnel records ✓ Purchase orders ✓ Evidence that Title III funds are not used to purchase language testing materials or pay for staff time to administer such assessments	x			-Reimbursement or payment with Title III funds must be specifically requested by districts or submitted by the ESU 6 Title III Grant Coordinator for approval. Requests of funding for assessment-related expenses have not been approved. *ESU 6 does have a set of IPT assessments that districts can use; however, this collection has been maintained with general funds through the Professional Development Department	Thanks for explaining how the process of using of claiming funds occurs.
-Supplement Not Supplant-							

ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist
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Nebraska ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist

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		Yes	No	NA	
1. The district has demonstrated that services provided with Title III funds are in addition to services that students would otherwise receive from State, local, or other federal funds. § 3115(g)	<ul style="list-style-type: none"> ✓ Evidence that the district has not reduced State or local funds expended to implement language instruction program based on the amount of Title III funds the District receives. ✓ Description of how the district provides core LEP services to students who are limited English proficient ✓ Description of how the Title III funds supplement the core LEP services 	x			<p>ok</p> <p>-Program Description / Agreement -ELL Network Notes -Request for Reimbursement/Funding</p> <p>Districts must provide core language instruction to their students. The ESU 6 Title III Grant Coordinator reviews, and must approve, all supplemental curricula, tools, and resources. These are approved on a case-by-case basis.</p>
-Program Services-					
1. Teachers providing services to LEP students in programs supported with Title III funds are fluent in English and in any other language used in the instructional program. § 3116(c)	<ul style="list-style-type: none"> ✓ District procedures or language assessment 	x			<p>ok</p> <p>Classroom teachers, district administrators, and/or teachers with ELL endorsements provide instruction. Individual districts monitor the language fluency of their teachers.</p>

Nebraska ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist

Criteria	Options for Documentation	District / ESU Response			NDE Response Comments	
		Yes	No	NA		
2. Professional development has been designed to improve or enhance the instruction and curriculum for LEP students. §3115 (c)(2)	<input checked="" type="checkbox"/> Listing of professional development workshops offered/attended <input checked="" type="checkbox"/> Participant information is maintained (listing of staff/parents attending and their role in the district, i.e. teachers, administrators, etc)	x			-List of PD offered -Attendance Rosters -The ESU 6 Title III Consortium provides 3 ELL Network sessions per year; each includes relevant professional development. Other trainings are offered based on member needs, and district personnel are encouraged to participate in professional development offered by other entities as well.	I'mpressive listina of PD opportunities included with submitted documentation.
3. The district has delineated the authorized activities chosen for meeting the purposes of Title III. § 3115	<input checked="" type="checkbox"/> Listing of professional development activities				-List of PD offered -Attendance Rosters -Program Description / Agreement	yes
4. The district has implemented the Nebraska English Language Learners Guidelines. §3113(b)(2)	<input checked="" type="checkbox"/> The district has documentation showing how the LEP curriculum has been aligned to the Nebraska English Language Learner Guidelines.	x			-ELL Network notes (awareness) -Because districts in the ESU 6 Title III Consortium select their own curricula, districts are responsible for alignment to the Nebraska Standards and ELL Guidelines.	yes
—Parental Notification / Involvement—						

Nebraska ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist

Criteria	Options for Documentation	District / ESU Response			NDE Response Comments
		Yes	No	NA	
<p>1. The district has sent Parental Notification letter(s) to comply with Section 3302.</p> <p>§ 3302(a)</p>	<p>✓ Copy of letters notifying parents that the child has been identified as limited-English proficient, in an understandable language</p> <p>✓ For districts not meeting AMAOs, a copy of the letter sent to parents informing them of the district status, in an understandable language</p>	x			yes - copies included
<p>—Language Assessment—</p>					
<p>1. The district has assessed LEP students who are new to the district.</p> <p>Office for Civil Rights (November 1990)</p>	<p>✓ Listing of new students assessed</p> <p>✓ Name of language test administered</p>				yes
<p>2. The district administered the annual state language proficiency assessment to all students identified as LEP.</p> <p>§ 3116(b)(3)(C)</p>	<p>✓ Number of students assessed</p>				yes

Nebraska ESEA/NCLB and McKinney-Vento Compliance Monitoring Guide Checklist

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		Yes	No	NA	
—Title III Immigrant Education Programs—					
1. The district annually takes a count of the number of immigrant children and the number of children served under this program.	✓ Data on number served ✓ Documentation to support counts submitted and the students identified as immigrant meet the definition of an immigrant student § 3114(d)(1)			X	NA
2. The district ensures that the funds are used ONLY for immigrant children and youth.	✓ Description of the services provided ✓ Budget information § 3115(e)(1)			X	NA
3. The district determines the effectiveness of the program.	✓ Information on any review/evaluation that the district has conducted § 3121(b)(2)			X	NA
—Schools in Title III Improvement—					
1. The district has a plan that contains goals and objectives to address the factors for the AMAO objectives that were not met. § 3122(b)(2)	✓ A plan outlining the steps the district will take to improve the performance on AMAOs ✓ Documentation on the implementation of the improvement plan			X	The ESU 6 Title III LEP Consortium has received an AMAO status of MET each year since the previous review in 2010. well done!